

Remarks

Claims 1-3 and 5-24 remain in the Application. Claim 4 has been canceled without prejudice to its underlying subject matter. New claims 25-28 have been added to the Application.

Claims 1-3 and 5-24 stand rejected under 35 U.S.C. 102(b) as being anticipated by European Patent Application Number EP 0915254 A2 (Bruno). Applicant respectfully traverses this rejection, and requests reconsideration of the claims in their current form.

As an initial matter, claims 1-3, 8-11, 18-20 and 23-24 each recite a limitation, either directly or indirectly, of routing a packet using an advanced routing services provider. This limitation is not disclosed by any of the cited prior art, including Bruno.

Bruno is directed to a system for managing the routing of information to a destination through a packet network that includes a plurality of routers connected to a routing processor. The routing processor receives routing requests from the routers and determines a route to the destination through the network. The routing processor then configures routing information for each router in the selected route, and sends the route to the requesting router so that it may begin forwarding the packet through the network using the selected route. Bruno, Col. 2: Lines 22-34 and Col. 8: Lines 6-19.

Claims 1-3, 8-11, 18-20 and 23-24 are not directed to requesting and receiving routing information from a router processor. Rather, claims 1-3, 8-11, 18-20 and 23-24 are directed to communicating a packet to an advanced routing services provider, and allowing the advanced routing services provider to route the packet through the network. This is very different from having a router in the network request and receive routing

information for a packet so it may forward the packet through the network, as described in Bruno.

For at least the above reasons, it is believed claims 1-3, 8-11, 18-20 and 23-24 represent patentable subject matter over Bruno. Removal of the rejection for these claims is therefore respectfully requested.

Claims 5-7, 12-15 and 21-22 each recite a limitation, either directly or indirectly, of communicating with an advanced routing services provider to provide advanced routing information for the next hop in the route. This limitation is also not disclosed by any of the cited prior art, including Bruno. ✓

As discussed previously, Bruno describes a system using a routing processor to select a route between a requesting router and a destination, configure routing information for each router in the selected route, and send the route to the requesting router. The requesting router then begins to forward the packet through the network in accordance with the selected route. Bruno, Col. 7: Line 1 to Col. 8: Line 19.

Claims 5-7, 12-15 and 21-22 are not directed to a routing processor to select and configure an entire route for a packet through a network. Rather, claims 5-7, 12-15 and 21-22 are directed to requesting and receiving advanced routing information for the next hop in the route. The requesting router uses the advanced routing information to forward the packet to the next network node. Specification, Page 20: Line 1 to Page 22: Line 17. Once the packet arrives at the next network node, the entire process may be repeated for the next hop in the route. This may continue until the packet reaches the destination. This type of per hop routing is very different from selecting and configuring an entire route through the network, as described in Bruno.

For at least the above reasons, it is believed claims 5-7, 12-15 and 21-22 represent patentable subject matter over Bruno. Removal of the rejection for these claims is therefore respectfully requested.

In addition, claims 16-17 and 25-28 each include a limitation, either directly or indirectly, of communicating a request for advanced network services for a packet or performing the advanced network services. The term "advanced network services" is explicitly defined in the Specification to include "any network service other than routing." Specification, Page 6: Line 23 to Page 7: Line 1. Examples of network services may include implementing a firewall, network address translation, port address translation, label switching, TCP connection termination and so forth. Specification, Page 7: Lines 1-8. Bruno is directed exclusively towards selecting and configuring an entire route for a packet. There is no mention whatsoever of the use of advanced network services in any context, particularly with respect to the subject matter of claims 16-17 and 25-28.

For at least the above reasons, it is believed claims 16-17 and 25-28 represent patentable subject matter over Bruno. Removal of the rejection for these claims is therefore respectfully requested.

In addition, claims 3, 7, 10, 14, 17, 19, 22, 24, 26 and 28 are dependent claims that each further recite a limitation of using a secure virtual connection to communicate the packet and/or routing information. The importance and implementation details of using a secure virtual connection are described in detail by the Specification. Specification, Page 14: Line 13 to Page 15: Line 15. Bruno fails to mention secure virtual connections in any context, let alone as recited in these claims.

Appl. No. 09/823,459
Amendment Dated 7/30/2003
Reply to Office Action of June 18, 2003

For at least the above reasons, it is believed claims 3, 7, 10, 14, 17, 19, 22, 24, 26 and 28 represent patentable subject matter over Bruno, in addition to the reasons stated previously for their independent claims. Removal of the rejection for these claims is therefore respectfully requested.

It is believed that claims 1-3 and 5-28 are in allowable form. Accordingly, a Notice of Allowance to this effect is earnestly solicited.

The Examiner is invited to contact the undersigned at 724-933-3387 to discuss any matter concerning this application.

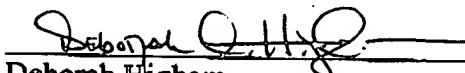
The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP


John F. Kacvinsky, Reg. No. 40,040

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: July 30, 2003.


Deborah Higham

7/30/03
Date

Dated: July 30, 2003

12400 Wilshire Blvd., 7th Floor
Los Angeles, California 90025